

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM J. WHITSITT,  
Plaintiff,

v.

DOMUS MANAGEMENT CO., et al.,  
Defendants.

No. 2:24-cv-00407-DC-JDP (PS)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
THIS ACTION

(Doc. No. 5)

Plaintiff William J. Whitsitt is proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 23, 2025, the assigned magistrate judge issued findings and recommendations recommending this action be dismissed, without prejudice, due to Plaintiff's failure to prosecute this action and failure to comply with a court order. (Doc. No. 5.) Specifically, Plaintiff has failed to comply with the court's order dated February 24, 2025, in which Plaintiff's complaint was dismissed for failure to state a cognizable claim and Plaintiff was directed to file either an amended complaint or notice of voluntary dismissal within thirty days. (Doc. No. 4.) Plaintiff did not thereafter file an amended complaint or notice of voluntary dismissal. The pending findings and recommendations were served on Plaintiff and contained notice that any objections thereto

1 were to be filed within fourteen (14) days after service.<sup>1</sup> (Doc. No. 5 at 3.) To date, no objections  
2 to the findings and recommendations have been filed, and the time in which to do so has now  
3 passed.

4 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a  
5 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the  
6 findings and recommendations are supported by the record and by proper analysis.

7 Accordingly:

- 8 1. The findings and recommendations issued on April 23, 2025 (Doc. No. 5) are  
9 ADOPTED in full;
- 10 2. This action is DISMISSED, without prejudice, due to Plaintiff's failure to  
11 prosecute this action, failure to comply with a court order, and failure to state a  
12 claim for the reasons set forth in the court's February 24, 2025 order (Doc. No. 4);  
13 and
- 14 3. The Clerk of the Court is directed to close this case.

15 IT IS SO ORDERED.

16  
17 Dated: July 17, 2025

  
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Dena Coggins  
United States District Judge

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26 <sup>1</sup> On May 7, 2025, the service copy of the pending findings and recommendations that was  
27 mailed to Plaintiff at his address of record was returned to the court marked as "Undeliverable,  
28 Not deliverable as addressed, Unable to forward." Thus, pursuant to Local Rule 183, Plaintiff was  
required to file a notice of his change of address with the court by no later than June 16, 2025,  
and he has not done so.